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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/058,588	01/28/2002	Yong Chen	16356.669 (DC-03280)	4122
27683	7590	11/05/2004	EXAMINER	
HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202			COTTINGHAM, JOHN R	
			ART UNIT	PAPER NUMBER

2116

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/058,588

Applicant(s)

CHEN ET AL.

Examiner

John R. Cottingham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) \*
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/23/02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Du et al. U.S. Patent 6,437,761. Du et al. shows all of the claimed limitations of a information handling system in Figures 1-3.

Regarding claim 1, an information handling system comprising: a video controller 140; a switching circuit 160 configured to receive an input signal associated with an operating system processable by the information handling system, the switching circuit 160 configured to provide a first power signal or a second power signal (power on or off signal) to the video controller in response to the input signal.

Regarding claim 2, wherein the input signal is associated with a power management mode supported by the operating system (from 190).

Regarding claim 3, further comprising: a program (inherent to computers that a program would control the information handling system) processable by the information handling system for causing the information handling system to: generate the input signal; and provide the input signal to the switching circuit.

Regarding claim 4, wherein the program is processable by the information handling system for causing the information handling system to: detect the operating system; and generate the input signal in response to detecting the operating system. (col. 3, lines 1-30).

Regarding claim 5, wherein the program is processable by the information handling system for causing the information handling system to: detect a power management mode supported by the operating system; and generate the input signal in response to detecting the power management mode supported by the operating system. (col. 3, lines 1-30).

Regarding claim 6, wherein the program is processable by the information handling system for causing the information handling system to: detect the power management mode supported by the operating system using a table that lists the operating system and the power management mode supported by the operating system. (it is inherent that programs use tables to store information)

Regarding claim 7, wherein the program comprises a portion of a basic input output system (BIOS) 154.

Regarding claim 8, a method performed by an information handling system comprising: receiving an input signal at a switching circuit 130, the input signal associated with an operating system processable by the information handling system; and providing a first power signal or a second power signal from the switching circuit to a video controller in response to the input signal.

Regarding claim 9, further comprising: receiving the input signal, the input signal associated with a power management mode supported by the operating system.

Regarding claim 10, further comprising: generating (at 160) the input signal; and providing the input signal to the switching circuit 130.

Regarding claim 11, further comprising: detecting the operating system; and generating the input signal in response to detecting the operating system.

Regarding claim 12, further comprising: detecting a power management mode supported by the operating system; and generating the input signal in response to detecting the power management mode supported by the operating system.

Regarding claim 13, further comprising: detecting the power management mode supported by the operating system using a table that lists the operating system and the power management mode supported by the operating system. (it is inherent that computer programs use tables to list the information such as operating system and power management modes)

Regarding claim 14, further comprising: providing the first power signal or the second power signal to the video controller in response to the input signal prior to initiating the operating system. (col. 2, lines 25-45)

Regarding claim 15, a computer program product comprising: a program processable by an information handling system for causing the information handling system to: generate an input signal associated with an operating system processable by the information handling system; and provide the input signal to a switching circuit 160 to cause the switching circuit to provide a first power signal or a second power signal

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(power on or off signals) to a video controller 130; and an apparatus from which the program is accessible by the information handling system.

Regarding claim 16, wherein the program is processable by the information handling system for causing the information handling system to: generate the input signal in response to a power management mode supported by the operating system.

Regarding claim 17, wherein the program is processable by the information handling system for causing the information handling system to: detect the operating system; and generate the input signal in response to detecting the operating system.

Regarding claim 18, wherein the program is processable by the information handling system for causing the information handling system to: detect a power management mode supported by the operating system; and generate the input signal in response to detecting the power management mode supported by the operating system. (all operating systems sent signals to indicate power on or off).

Regarding claim 19, wherein the program is processable by the information handling system for causing the information handling system to: detect the power management mode supported by the operating system using a table that lists the operating system and the power management mode supported by the operating system.

Regarding claim 20, wherein the apparatus comprises a non-volatile storage device. (computer 190 inherently has a hard drive).

Regarding claim 21, wherein the program comprises a portion of a basic input output system (BIOS) 154.


**Conclusion**

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dlugosch U.S. Patent 6,789,146 show a similar invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R. Cottingham whose telephone number is (703) 306-3439. The examiner can normally be reached on Monday - Thursday, alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571)272-3670. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John R. Cottingham  
Primary Examiner  
Art Unit 2116

jrc